

Rec'd PCT/PTO 14 NOV 2005

#5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Anthony B. Fuller et al.

Application No.: 10/520,773

Filed: January 6, 2005

For: BAR CLAMP WITH SIDE-ACTIVATED BRAKING LEVER

Mail Stop: DO/US
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMPLETION OF FILING REQUIREMENTS

1. This replies to the Notice to File Missing Parts of Nonprovisional Application Filed Under 37 CFR 1.53(b) mailed on August 11, 2005.

A copy of the Notice to File Missing Parts of Nonprovisional Application Filed Under 37 CFR 1.53(b) is enclosed.

DECLARATION OR OATH

2. No original signed declaration or oath was filed and enclosed is the original signed declaration or oath for this application.

COMPLETION FEES

3. Filing fee

| | |
|--|---------------|
| Utility patent application (37 CFR 1.16(a))--\$740.00; | |
| small entity--\$370.00) | <u>\$0.00</u> |

| | |
|--|---------------|
| Design application (37 CFR 1.16(f))--\$330.00; small | |
| entity--\$165.00) | <u>\$0.00</u> |

Fees for claims

| | |
|---|---------------|
| Independent claims in excess of three (\$84.00; | |
| small entity--\$42.00) | <u>\$0.00</u> |

| | |
|--------------------------------------|---------------|
| Claims in excess of twenty (\$18.00; | |
| small entity--\$9.00) | <u>\$0.00</u> |

| | |
|---|-------------------------|
| Multiple dependent claims (\$280.00; small entity--\$140.00) | <u>\$0.00</u> |
| Surcharge fees | |
| Late filing of original declaration or oath (37 CFR 1.16(e)--\$130.00; small entity--\$65.00); | <u>\$ 130.00</u> |
| Petition and fee for filing by other than all the inventors or a person not the inventor (37 CFR 1.17(h) and 1.47--\$130.00) | <u>\$0.00</u> |
| Fee for processing an application filed with a specification in a non-English language (37 CFR 1.17(k) and 1.52(d)--\$130.00) | <u>\$0.00</u> |
| Fee for processing and retention of application (37 CFR 1.21(l) and 1.53(d)--\$300.00) | <u>\$0.00</u> |
| Total Completion Fees | <u>\$ 130.00</u> |

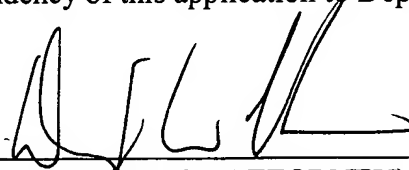
4. Payment of Fees

Enclosed is a check for \$ 130.00.

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

5. The Commissioner is hereby authorized to charge additional fees which may be required by this paper and during the pendency of this application to Deposit Account No. 13-4365.

November 14, 2005
(DATE)


(SIGNATURE OF ATTORNEY)

Reg. No.: 32,338

Dennis J. Williamson
Type or print name of attorney

Tel No.: (919) 286-8000

430 Davis Drive, Suite 500
Address

Morrisville, North Carolina 27560-6832

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

| | | |
|--|---|---|
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 | | ATTORNEY'S DOCKET NUMBER 014881-000688 |
| INTERNATIONAL APPLICATION NO. PCT/US03/21197 | INTERNATIONAL FILING DATE 7/7/2003 | U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/520,773 |
| TITLE OF INVENTION BAR CLAMP WITH SIDE-ACTIVATED BRAKING LEVER | | PRIORITY DATE CLAIMED July 9, 2002 |
| APPLICANT(S) FOR DO/EO/US Anthony B. Fuller Scott Daniel Springer Thomas M. Chervenak | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| 1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern document(s) or information included: 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: Copy of Notice of Missing Requirements; Acknowledgement Postcard | | |

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Rec'd PCT/PTO 14 NOV 2005

PTO-1390 (Rev. 12-2004)
Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | | | | |
|---|--|-------------------------------|--|--------------------------|--|
| U.S. APPLICATION NO. (If known, see 37 CFR 1.5) | | INTERNATIONAL APPLICATION NO. | | ATTORNEY'S DOCKET NUMBER | |
| 10/520,773 | | PCT/US03/21197 | | 014881-000688 | |

21. The following fees are submitted:

| | | | | Applicant use | Office use only |
|-------------------------------|-----------------------|--|----------|---------------|-----------------|
| <input type="checkbox"/> | a) Basic national fee | | \$300.00 | \$ | |
| <input type="checkbox"/> | b) Examination fee | | \$200.00 | \$ | |
| <input type="checkbox"/> | c) Search fee | | \$500.00 | \$ | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$1000.00 | |

☐ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets or paper or fraction thereof.

| Total Sheets | Extra sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE |
|--------------|--------------|---|------------|
| - 100 = | /50 = | | X \$250.00 |
| | | | |

Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE |
|--|--------------|--------------|------------|
| Total Claims | - 20 = | | x \$50.00 |
| Independent Claims | - 3 = | | x \$200.00 |
| MULTIPLE DEPENDENT CLAIMS(S) (if applicable) | | | + \$360.00 |
| TOTAL OF ABOVE CALCULATIONS = | | | |

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

SUBTOTAL =

Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

TOTAL NATIONAL FEE =

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.

TOTAL FEES ENCLOSED = \$ 130.00

| | |
|------------------------|--|
| Amount to be refunded: | |
| Amount to be charged: | |

11/22/2005 MK
01 FC:1617

130.00 OP

a. ☒ A check in the amount of \$130.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 13-4365 in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-4365. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Moore & Van Allen
PO Box 13706
430 Davis Drive
Research Triangle Park, NC
27709
USA

SIGNATURE
Dennis J. Williamson
NAME
32,338
REGISTRATION NUMBER

EXPRESS MAIL CERTIFICATE

EXPRESS MAIL LABEL NUMBER: EV594572445US

Date of Deposit: November 14, 2005

First Named Inventor: Anthony B. Fuller

For: BAR CLAMP WITH SIDE-ACTIVATED BRAKING LEVER

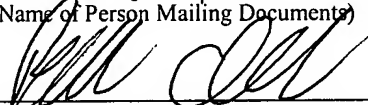
I hereby certify that the following documents:

Express Mail Certificate; and

1. Transmittal Letter to U.S. Designated Office (PTO-1390);
2. Completion of Filing Requirements;
3. Petition for Extension of Time (One Month);
4. Signed Declaration;
5. Copy of Notice of Missing Requirements;
6. Check in the amount of \$250.00;
7. Acknowledgement Postcard

are being deposited in a single envelope with the United States Postal Services "Express Mail" service under 37 C.F.R. 1.10 on the date indicated above and such envelope is addressed to: Mail Stop: DO/US, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Brian Coley
(Name of Person Mailing Documents)


(Signature of Person Mailing Documents)

AUG 15 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

| | | |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/520,773 | Anthony B Fuller | 5658/2 |

24239
 MOORE & VAN ALLEN PLLC
 P.O. BOX 13706
 Research Triangle Park, NC 27709

| | |
|-------------------------------|---------------|
| INTERNATIONAL APPLICATION NO. | |
| PCT/US03/21197 | |
| I.A. FILING DATE | PRIORITY DATE |
| 07/07/2003 | |

CONFIRMATION NO. 2436

371 FORMALITIES LETTER



OC000000016746240

Date Mailed: 08/11/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/06/2005
- Copy of the International Search Report filed on 01/06/2005
- U.S. Basic National Fees filed on 01/06/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

 Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/520,773 | PCT/US03/21197 | 5658/2 |

FORM PCT/DO/EO/905 (371 Formalities Notice)